

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

SORRENTO THERAPEUTICS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-90085 (DRJ)

(Jointly Administered)

**FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS FROM
PARTY IN INTEREST, TIMOTHY L. CULBERSON, ESQ TO
HENRY JI, PhD AND SORRENTO THERAPEUTICS, INC.**

TO: HENRY JI, PHD AND SORRENTO THERAPEUTICS, INC., BY AND
THROUGH THEIR COUNSEL, JUSTIN RAWLINS, PAUL HASTINGS,
LLP, EMAIL: justinrawlins@paulhastings.com

Please take notice that, pursuant to Federal Rules of Civil Procedure 26 and 34, made applicable by Rules 7026, 7034, and 9014 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Party in Interest, Timothy L. Culberson, (the “Party in Interest”) in the above-captioned cases (the “Chapter 11 Cases”) respectfully submits this request for the production of documents (the “Document Requests”) to **HENRY JI, PHD AND SORRENTO THERAPEUTICS, INC.** Party in Interest requests that the documents and electronic information responsive to the Document Requests identified in the attached **Exhibit A** be produced electronically (with all original metadata information) to The Culberson Law Office, PLLC at tim@culbersonlaw.com, beginning immediately and completed no later than **August 10, 2024 at 12:00 p.m. (Eastern Time)**.

¹ The Debtor entities in these Chapter 11 Cases, along with the last four digits of each Debtor entity’s federal tax identification number, are: Sorrento Therapeutics, Inc. (4842) and Scintilla Pharmaceuticals, Inc. (7956). The Debtors’ service address is: 4955 Directors Place, San Diego, CA 92121.

Please take further notice that Party in Interest reserves his rights under title 11 of the United States Code, the Bankruptcy Rules, the Local Rules of the United States Bankruptcy Court for the Southern District of Texas, and any applicable law regarding the subject matter of these Document Requests to amend, supplement, and/or modify **Exhibit A** attached hereto, or serve additional discovery requests.

[Remainder of page intentionally left blank]

INSTRUCTIONS

1. All discovery in connection with these Requests shall be subject to and conducted in accordance with the terms of the *Stipulated Protective Order* [Dkt. No. 235] entered on March 16, 2023.

2. These Requests shall be deemed continuing in nature so as to require further and supplemental production if You obtain additional information or Documents between the time of initial production and the time of trial.

3. All Documents produced in response to a Request should be marked with a Bates number or other such similar numbering system. When You refer to a Document produced in response to a specific Request, a reference to the corresponding Bates number should also be made.

4. In producing Documents responsive to the following Requests, You are instructed to produce all Documents in Your custody, control or possession, including Documents in the custody, control or possession of Your attorneys, agents, or other representatives. You are also requested to produce any Document which is no longer in Your immediate physical possession, but which You have a right to compel production from a third-person or which is otherwise subject to Your control.

5. If any or all Documents identified herein are no longer in Your possession, custody, or control because of destruction, loss, or any other reason, then with respect to each and every such Document: (a) describe the nature of the Document (e.g., letter or memorandum); (b) state the date of the Document; (c) identify the persons who sent and received the original and a copy of the Document; (d) state in as much detail as possible the contents of the Document; and (e) state the manner and date of disposition of the Document.

6. If any of the Documents identified herein are withheld for privilege, You shall make Your claim of privilege in accordance with Federal Rule of Civil Procedure 26(b)(5).

7. If a portion of an otherwise responsive Document contains information subject to a claim of privilege, only that portion of the Document subject to the claim of privilege shall be deleted or redacted from the Document following the instructions in the preceding paragraph and the rest shall be produced.

8. For any other Documents You identify and are withheld for any reason or claim, You shall state the following so that Your claim for withholding the Document may be assessed:

- (a) the ground of nondisclosure asserted;
- (b) a statement of facts constituting the basis for the ground of nondisclosure;
- (c) a brief description of the Document, including:
 - i. the date of the Document;
 - ii. the names of its author(s) or preparer(s) and identification by employment and title of each such person;
 - iii. the names of each person who was sent or had access to or custody of the Document, together with an identification by employment of each such person; and
 - iv. describe the nature of the Documents, communications or tangible things not produced or disclosed.

9. Requests which cannot be complied with in full shall be responded to as completely as possible, and incomplete responses shall be accompanied by a specification of the reasons for the incompleteness of the response, as well as by a statement of whatever knowledge, information or belief You possess with respect to each request to which You have not completely responded.

10. If any Document subject to any discovery request has been destroyed, cannot be located by You, or is no longer thought to be in existence, please so indicate and state the reason for the destruction of said Document, its last known location, by whom it was destroyed, when it was destroyed, and the description of the Document in a fashion sufficient to identify and describe it.

11. All electronic documents shall be produced in their original formatting containing all original metadata information.

[Remainder of page intentionally left blank]

DOCUMENT REQUESTS

1. All emails wherein Elizabeth Freeman was a recipient, sender, or copied - dated from January 1, 2023 to the present;
2. All text messages on company owned cell phones wherein Elizabeth Freeman was a recipient, sender, or copied - dated from January 1, 2023 to the present;
3. All written communications in the form of notes, letters, or memos wherein Elizabeth Freeman was a recipient, sender, or copied - dated from January 1, 2023 to the present.
4. All emails wherein Elizabeth Freeman was the subject of, or mentioned/referenced in any way – dated from January 1, 2023 to the present.
5. All text messages on company owned cell phones wherein Elizabeth Freeman was the subject of, or mentioned/referenced in any way – dated from January 1, 2023 to the present.
6. All written communications in the form of notes, letters, or memos wherein Elizabeth Freeman was the subject of, or mentioned/referenced in any way – dated from January 1, 2023 to the present.

Dated: July 11, 2024

THE CULBERSON LAW OFFICE, PLLC



By: _____

Timothy L. Culberson (*pro hac*
vice)

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Spring, Texas 77386

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Email: tim@culbersonlaw.com

Pro Se Counsel, Party in Interest

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that the foregoing instrument was served on all parties of record via the Court's electronic filing system on this 11th Day of July 2024.